

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

ALLEN FRANK,

Case No. 3:18-cv-00428-JO

Plaintiff,

ORDER TO DISMISS

v.

STATE OF OREGON, et al.,

Defendants.

JONES, District Judge.

Plaintiff moves to voluntarily dismiss this prisoner civil rights case without prejudice. The Court grants the Motion to Dismiss (#9).

In his Motion to Dismiss, Plaintiff also asks the Court to refund him the \$350.00 filing fee he paid upon filing this action on March 12, 2018. The Court denies this request, as the filing fee is a statutory prerequisite to filing the case mandated by 28 U.S.C. § 1914(a).

CONCLUSION

Plaintiff's Motion to Dismiss (#9) is granted to the extent that the Court dismisses this case without prejudice. The Motion is denied insofar it asks the Court to refund the statutory filing fee.

IT IS SO ORDERED.

DATED this 26th day of June, 2018.



Robert E. Jones
United States District Judge